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EXAMINER

HO, CHUONG T

ART UNIT

PAPER NUMBER

2619

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/828,864 | <b>Applicant(s)</b><br>CARLSSON ET AL. |  |
|                              | <b>Examiner</b><br>CHUONG T. HO      | <b>Art Unit</b><br>2619                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 47-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 47-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The amendment after final rejection filed 04/23/08 have been entered and made of record.
2. Applicant's arguments with respect to claims 47-54 have been considered but are moot in view of the new ground(s) of rejection.
3. Claims 47-54 are pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 47 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In the specification, figure 3, page 5, lines 30-33, the specification discloses an Interworking function for transferring packet data to and from a mobile station via an air interface of said TIA/EIA-136 network. The specification however fails to disclose A teleservice server for transferring packet data to and from a mobile station operating in said TIA/EIA-136 network.

Claim 51 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In the specification, figure 3, page 5, lines 30-33, the specification discloses an interworking function for receiving mobile originated packets at a first communication interface from mobile station via an air interface of a TIA/EIA-136 network. The specification however fails to disclose receiving mobile originated packets at a first communication interface of a teleservice server from a mobile station via an air interface of a TIA/EIA-136 network.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show “a teleservice server for transferring packet data to and from a mobile station via an air interface of said TIA/EIA-136 network” as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be

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removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The claims 47-54 are pending.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 47-48, 49-50, 51-52, 53- 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Service and System Enhancements for TDMA Digital Cellular Systems, IEEE Personal Communications, June 1999, Mark Austin) in view of Lohtia et al. (Pub. No. US 20020082033 B1).

In the claim 47, Mark Austin discloses an interworking function (figure 8, SGSN locates between ANSI-41 gateway MSC/VLR and GGSN) for connection a TIA/EIA-136 network (figure 8, ANSI 41 gateway MSC/VLR) to a general Packet Radio Service (figure 8, GPRS HR) network, said interworking function (figure 8, SGSN) comprising:

A teleservice server (service access point, SAPs) for transfer packet data to and from in said TIA/EIA-136 network (see figure 8, page 29, On the SGSN side, this has required two new service access points (SAPs) to be defined to carry the 136MM messages, one SAP to support high-priority information, such mobility management, and another SAP for lower-priority messages such as teleservices);

A first communications interface (figure 8, Gs' interface) for connecting said teleservice server to said TIA/EIA 136 network (figure 8, Gs' interface for connecting SGSN (SAPs of SGSN) to ANSI-41 gateway MSC/VLR);

A second communications interface (figure 8, Gn interface) for connecting said teleservice server to said GPRS network (see figure 8, Gn interface for connecting SGSN (SAPs of SGSN) to GGSN);

Said Interworking function (figure 8, SGSN) enabling packet data traffic to be routed between said GPRS network and said TIA/EIA-136 network (see figure 8, page 28, The SGSN is the node serving the mobile station (MS) and is responsible for routing data packet to the correct GGSN).

However, Mark Austin is silent to disclosing a teleservice server for transferring packet data to and from a mobile station via an air interface of TIA/EIA-136 network.

Lohtia et al. disclose SGSN (figure 2, SGSN 20) for transferring packet data to and from a mobile station (figure 2, MS 12) via an air interface of said TIA/EIA-136 (figure 2, page 2 paragraph [0020] the MS 12 coupled to SGSN 20 over Gb interface) .

Both Mark Austin, and Lohtia disclose GSM network. Lohtia recognizes SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 3, 10) via an air interface of said TIA/EIA-136. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 2, 12) via an air interface of said TIA/EIA-136 into the system of Mark Austin in order to provide efficient packet-based communications over a wireless network. (Lohtia, page 1 paragraph 0002).

Regarding to the claim 51, Mark Austin discloses an interworking function (figure 8, SGSN locates between ANSI-41 gateway MSC/VLR and GGSN) for connection a TIA/EIA-136 network (figure 8, ANSI 41 gateway MSC/VLR) to a general Packet Radio Service (figure 8, GPRS HR) network, said interworking function (figure 8, SGSN) comprising:

Receiving mobile originated packets at a first communication interface (figure 8, Gs' interface) of a teleservice server (service access point, SAPs) from an air interface of a TIA/EIA-136 network (see figure 8, page 29, On the SGSN side, this has required two new service access points (SAPs) to be defined to carry the 136MM messages, one SAP to support high-priority information, such mobility management, and another SAP for lower-priority messages such as teleservices);

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Forwarding said mobile originated packets via a second communication interface (figure 8, Gs' interface) from said teleservice server to a General Packet Radio Service (GPRS) network (see figure 8, Gn interface for connecting SGSN (SAPs of SGSN) to GGSN);

Receiving mobile terminated packets for the TIA/EIA-136 network at said teleservice server via said second communication interface (figure 8, Gn interface) from said GPRS network (figure 8);

Forwarding said mobile terminated packets via said first communication interface (figure 8, Gs interface) from said teleservice server to said the TIA/EIA-136 network

However, Mark Austin is silent to disclosing receiving mobile originated packets from a mobile station via an air interface of TIA/EIA-136 network.

Lohtia et al. disclose receiving mobile originated packets from a mobile station (figure 2, MS 12) via an air interface of TIA/EIA-136 network (figure 2, page 2 paragraph [0020] the MS 12 coupled to SGSN 20 over Gb interface) .

Both Mark Austin, and Lohtia disclose GSM network. Lohtia recognizes SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 3, 10) via an air interface of said TIA/EIA-136. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 2, 12) via an air interface of said TIA/EIA-136 into the system of Mark Austin in order to provide efficient packet-based communications over a wireless network. (Lohtia, page 1 paragraph 0002).



Regarding to the claim 48, Mark Austin discloses the limitations of claim 47 above.

However, Mark Austin is silent to disclosing GPRS network comprising an Enhanced GPRS (EGPRS) network.

Lohtia discloses GPRS network comprising an Enhanced GPRS (EGPRS) network (see page 1 [0006] EGPRS).

Both Mark Austin, and Lohtia disclose GSM network. Lohtia recognizes SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 3, 10) via an air interface of said TIA/EIA-136. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 2, 12) via an air interface of said TIA/EIA-136 into the system of Mark Austin in order to provide efficient packet-based communications over a wireless network. (Lohtia, page 1 paragraph 0002).

Regarding to claim 49, Mark Austin discloses the limitations of claim 47 above. However, the Mark Austin is silent to disclosing wherein said first communications interface uses the General UDP Transport Service to transfer packet data to and from said mobile station.

Lohtia discloses wherein said first communications interface uses the General UDP Transport Service to transfer packet data to and from said mobile station (figure 2, UDP 178).

Both Mark Austin, and Lohtia disclose GSM network. Lohtia recognizes SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 3, 10) via an air interface of said TIA/EIA-136. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 2, 12) via an air interface of said TIA/EIA-136 into the system of Mark Austin in order to provide efficient packet-based communications over a wireless network. (Lohtia, page 1 paragraph 0002).

Regarding to the claim 50, Mark Austin discloses the limitations of claim 47 above.

However, Mark Austin is silent to disclosing second interface uses the Base Station Subsystem GPRS Protocol to transfer packet data to and from said GPRS network

Lohtia et al. disclose second interface uses the Base Station Subsystem GPRS Protocol to transfer packet data to and from said GPRS network (page 4 paragraph [0041] BSSGP (Base Station System GPRS Protocol).

Both Mark Austin, and Lohtia disclose GSM network. Lohtia recognizes SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 3, 10) via an air interface of said TIA/EIA-136. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply SGSN (figure 2, 20) for transferring packet data to and from a mobile station (figure 2, 12) via an air interface of

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said TIA/EIA-136 into the system of Mark Austin in order to provide efficient packet-based communications over a wireless network. (Lohtia, page 1 paragraph 0002).

Regarding to the claim 52, claim 52 is rejected the same reasons of claim 48 above.

Regarding to the claim 53, claim 53 is rejected the same reasons of claim 49 above.

Regarding to the claim 54, claim 54 is rejected the same reasons of claim 50 above.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shich et al. (Patent No.: US 6,591,098 B1); Mizell et al. (Patent No.: US 7,006,478 B1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571)272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EDAN ORGAD can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Edan Orgad/

Supervisory Patent Examiner, Art Unit 2619